

## REMARKS

The examiner's attention to this lengthy application is appreciated. Reconsideration is respectfully requested.

### Status of Claims

Claims 1, 3–13, 15–17, 65–66, 76, 78–82, 130, 132, 134–139 are currently pending. The other claims are canceled without prejudice and to simplify the issues for any necessary appeal.

### Current Claim Clarifications

Independent Claims 1, 65, and 135 are currently amended to include that the packing bore additionally has a “removable gland” as described throughout the specification, including, for example, in Paragraphs 0023–0025, 0100–0101, and 0184–0186 and with reference Figures 1, 2, and 10, where Figure 10 illustrates one of the embodiments according to the invention in the packing bore 28 of a pump, including showing a gland nut 32 positioned over the packing cartridge.

Independent Claims 1, 65, and 135 are currently amended to clarify that “the packing cartridge is adapted to be positioned in the packing bore between the seat and the removable gland and so that the squeezing of the first abutment ring and the second abutment ring closer together can be provided by tightening the removable gland over the packing cartridge.” Support for this amendment is found throughout the specification and drawing, for example, Paragraphs 0116–0118, 0126, 0136–0137, 0142, 0145, 0149, 0158, 0159, 0171, 0176, 0178, 0182–0183, 0186, and 0236.

Independent Claim 65 is amended to include “a means for axially retaining the first and second sleeve portions together,” which had been previously included in a now canceled claim which was dependent from Claim 65.

Independent Claims 1, 65, and 135 are amended additionally to clarify that the retaining ring or the retaining means “allow for squeezing of the first abutment ring and second abutment ring co-axially closer to one another.” Support for this amendment is found throughout the specification and drawing, for example, Paragraphs 0140–0141 and originally-filed dependent Claims 2, 67, 69, and 75.

Dependent Claims 10, 66, and 139 are amended to clarify that “the spacer ring is positioned to help prevent seepage of fluid into any clearances between the first sleeve portion and the second sleeve portion.” Support for this amendment is found throughout the specification, including, for example, in Paragraphs 0146 and 0156 and with reference to Figures 4, 6, 7, and 12.

Dependent Claims 15 and 79 are corrected as suggested by the Examiner.

Dependent Claims 16 and 80 are amended to correct a grammatical error.

Dependent Claims 130 and 134 are amended to correct antecedent basis.

No new matter is being added to the claims.

### **Prior Election/Restrictions**

In response to the prior Office Action dated September 12, 2005 regarding a restriction requirement, on October 11, 2005 Applicants advised that none of the then-pending claims were generic to all of the patentably distinct Species I through XIV as outlined in that Office Action. Applicants noted, however, that independent Claim 65 is generic to the plurality of disclosed patentably distinct Species I through XII (i.e., Figures 3 through 14a).

In response to the requirement to elect a single disclosed Species, Applicants previously elected Species X (i.e., Figures 12 and 12a). All the currently-pending claims are believed to read on the elected Species X (i.e., Figures 12 and 12a).

### **Specification and Drawing**

In response to objections to the drawing under 37 CFR 1.83(a), Applicants amend the specification to include references and submit Replacement Sheets for Figures 4, 6, and 12.

The drawings were objected to under 37 CFR 1.83(a) because the specific terms “telescoping structures” as used in the currently- pending claims were not identified in the drawings. Applicants amend as required by the Examiner.

Regarding Figure 4, Paragraphs 0145 and 0146 of the specification are amended to include the specific references 212t and 222t for the “telescoping structures” and Figure 4 of the drawing is amended to include these references. Further support for these amendments is found in the specification, for example, in Paragraph 0145:

The packing cartridge 200 further includes, without limitation, a second element 220 comprising a second sleeve portion 222 having at least a portion thereof telescopically positioned in at least a portion of the first sleeve portion 212 . . .

Regarding Figures 6 and 12, Paragraphs 0156 and 0158 of the specification are amended to include the specific references 412t and 422t for the “telescoping structures” and Figures 6 and 12 of the drawing is amended to include these references. Figure 12 is a cross-sectional view of another embodiment of a packing cartridge similar to the embodiment shown in Figure 7 (*See, e.g.*, Specification Paragraphs 0076 and 0193), where Figure 7 is a cross-sectional view of another embodiment of a packing cartridge similar to the embodiment shown in Figure 6 (*See, e.g.*, Specification Paragraphs 0068 and

0161). Further support for these amendments is found in the specification regarding Figure 6, for example, in Paragraph 0155:

The packing cartridge 400 further includes, without limitation, a second element 420 comprising a second sleeve portion 422 having at least a portion thereof telescopically positioned in at least a portion of the first sleeve portion 412 . . . .

In response to the new objection to the drawing in the Final Office Action of June 10, 2009, Applicants respectfully note that a “seat 29” is indicated in Figures 1, 3, 3a, 6, 9, 14a, 15, and 17. Figure 7 is similar to Figure 6 as described in Paragraph 0161, and Figure 12 is similar to Figure 7 as described in Paragraph 0193. In addition, the Replacement Sheet for Figure 12 submitted herewith is amended to indicate seat 29.

No new matter is being added to the application.

#### **Pending Independent Claims Are Patentable over Covert et al.**

Independent Claims 1, 65, and 135, as amended, are clarified to require that “the packing cartridge is adapted to be positioned in the packing bore between the seat and the removable gland and so that the squeezing of the first abutment ring and the second abutment ring closer together can be provided by tightening the removable gland over the packing cartridge.”

In contrast, the structure disclosed in Figure 3 of Covert et al. is different. For example, the threads 80 and 82 in that structure are operatively positioned between the nut member 76 and shoulder 52 in a manner that would prevent any such squeezing of those elements co-axially closer together. Part of the reason for this is that Covert et al. does not disclose a “packing cartridge” at all, but, as best understood, Covert et al. discloses a valve packing system, wherein the “bonnet portion 24” (Covert, Figure 1, Column 2, Line 67 – Column 3, Line 1; Figure 3 and Column 3, Lines 53-56) is a part of the valve body 12. Thus, the “bonnet portion 24” (Figure 1) and the “shoulder 52” (Covert et al., Figure 3) are not a packing cartridge that fits into a packing bore. As best understood, Covert et al. does not disclose removing the “bonnet portion 24” or positioning that “bonnet portion 24” in a packing bore. The structure disclosed in Covert et al. is not capable of operating as required by independent Claims 1, 65, or 135.

Regarding dependent Claims 10, 66, and 139, Covert does not disclose a “spacer ring is positioned to help prevent seepage of fluid into any clearances between the first sleeve portion and the second sleeve portion.”

Consideration of the pending claims is respectfully requested.

## Conclusion

Applicants' arguments and amendments are without prejudice or disclaimer. Additionally, other distinctions from the cited references may exist, and Applicants reserve the right to discuss any such additional distinctions in a later prosecution response, or in any reissue or reexamination, or in litigation, if appropriate.

The amendment is believed to place the application in condition for allowance, and such action is respectfully requested. If a telephone interview would assist to expedite the application, please contact the undersigned at 214-220-0444.

The Commissioner for Patents is hereby authorized to charge any additional fees relating to this paper or credit any overpayment to Deposit Account No. 50-3037. A duplicate copy of the fee authorization sheet is enclosed for this purpose.

Dated: September 10, 2009

### CERTIFICATE OF MAILING

I hereby certify that the enclosed paper is being filed electronically to MAIL STOP RCE, COMMISSIONER OF PATENTS, P. O. BOX 1450, ALEXANDRIA, VA 22313-1450 on:

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Todd E. Albanesi

Printed Name of Person Signing Certificate



Signature

September 10, 2009

Date of Signature

Respectfully submitted,



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